

10/532512

INTERNATIONAL SEARCH REPORT

PCT/NL 03/00728

A. CLASSIFICATION OF SUBJECT MATTER
IPC 7 G01R33/465

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
IPC 7 G01R

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

WPI Data, PAJ, INSPEC

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	E.M. SHAPIRO ET AL.: "Sodium Visibility and Quantitation ..." JOURNAL OF MAGNETIC RESONANCE, vol. 142, 2000, pages 24-31, XP002246126 page 24, paragraph 1 -page 26, paragraph 3	1,2,7,8, 19,21
A	WO 91 10128 A (THE BETH ISRAEL HOSPITAL ASSOCIATION) 11 July 1991 (1991-07-11) page 4, paragraph 4 -page 5, paragraph 2 page 7, paragraph 4 -page 11, paragraph 1	1
X	J.-P. LATTANZIO ET AL.: "Macromolecule and Water Magnetization Exchange ..." MAGNETIC RESONANCE IN MEDICINE, vol. 44, 2000, pages 840-851, XP002246127 the whole document	1,2,7,8, 19,21

 Further documents are listed in the continuation of box C. Patent family members are listed in annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

- *T* later document published after the International filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- *X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- *Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- *&* document member of the same patent family

Date of the actual completion of the international search

26 January 2004

Date of mailing of the International search report

03/02/2004

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel: (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Volmer, W

INTERNATIONAL SEARCH REPORT

PCT/NL 03/00728

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 5 320 102 A (P.K. PAUL ET AL.) 14 June 1994 (1994-06-14) column 2, line 41 -column 3, line 7 column 4, line 24 -column 11, line 42 -----	1,2

INTERNATIONAL SEARCH REPORT

PCT/NL 03/00728

Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.: 9-12, 13-15, 16-18, 23, 24 because they relate to subject matter not required to be searched by this Authority, namely:
see FURTHER INFORMATION sheet PCT/ISA/210
2. Claims Nos.: because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
3. Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple Inventions in this International application, as follows:

1. As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
3. As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
4. No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the Invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- The additional search fees were accompanied by the applicant's protest.
 No protest accompanied the payment of additional search fees.

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.1

Claims Nos.: 9-12, 13-15, 16-18, 23, 24

For the following reasons, claims 9 - 12, 13 - 15, 16 - 18 and 23, 24 do not meet the requirements of Rule 39.1(iv) PCT:

Claims 9 and 23 specify:

- werkwijze voor de detectie van een ziekte in een zoogdier...
Hence, claims 9 and 23 specify a diagnostic method practised on the human or animal body. Therefore, claims 9 'and claims 10 - 12, dependent thereupon! and 23 'and claim 24, dependent thereupon! do not meet the requirements of Rule 39.1(iv) PCT, and are excluded from patentability.

Claim 13 specifies:

- werkwijze voor het vervaardigen van een verschilprofiel voor de detectie van een ziekte in een zoogdier...
Hence, claim 13 specifies steps incorporated in a diagnostic method, and as such is part of a diagnostic method. Therefore, also claim 13 'and claims 14, 15, dependent thereupon! do not meet the requirements of Rule 39.1(iv) PCT, and are excluded from patentability.

Claim 16 specifies:

- werkwijze voor het identificeren van een biomarker voor een ziekte...
Hence, claim 16 specifies steps incorporated in a diagnostic method, and as such is part of a diagnostic method. Therefore, also claim 16 'and claims 17, 18, dependent thereupon! do not meet the requirements of Rule 39.1(iv) PCT, and are excluded from patentability.

Since these claims specify a diagnostic method practised on the human or animal body, they do not meet the requirements of the Article and Rules mentioned above, and consequently, they are not allowable under Article 34(4)(a)(I), Rule 39.1(iv) and Rule 67.1(iv) PCT. The subject-matter of these claims has not been searched.

INTERNATIONAL SEARCH REPORT

PCT/NL 03/00728

Patent document cited in search report		Publication date		Patent family member(s)		Publication date
WO 9110128	A	11-07-1991	AU BR CA EP FI JP WO	7142991 A 9007936 A 2071638 A1 0509049 A1 922887 A 6505089 T 9110128 A1		24-07-1991 27-10-1992 22-06-1991 21-10-1992 18-06-1992 09-06-1994 11-07-1991
US 5320102	A	14-06-1994	NONE			